

## **REMARKS**

Applicant is in receipt of the Office Action mailed December 22, 2004. Claims 3, 13, 23, and 33 have been cancelled. Claims 1, 11, 21, and 31 have been amended. Thus, claims 1, 2, 4-12, 14-22, 24-32, and 34-40 remain pending in the case. Reconsideration of the present case is earnestly requested in light of the following remarks.

### **Allowed Subject Matter**

The Office Action objected to claims 3, 4, 13, 14, 23, 24, 33, and 34, but indicated that these claims would be allowable if rewritten in independent form, including the limitations of the base claim and any intervening claims. Applicant appreciates the allowed subject matter of claims 3, 4, 13, 14, 23, 24, 33, and 34, but believes the claims to be allowable as currently written. However, in order to expedite prosecution of the case, Applicant accepts the allowed matter, but intends to pursue the original claimed matter in a subsequent application. Accordingly, Applicant has amended independent claim 1 to include the limitations of (now cancelled) claim 3, has amended independent claim 11 to include the limitations of claim (now cancelled) 13, has amended independent claim 21 to include the limitations of claim (now cancelled) 23, has amended independent claim 31 to include the limitations of claim (now cancelled) 33. Applicant has further amended claims 4, 14, 24, and 34 to update their respective dependencies accordingly.

Applicant has also amended the independent claims to correct various minor informal matters, specifically, amending claims 11, 21, and 31 to agree with claim 1 regarding the term “corrected run-time data”, and to correct antecedent basis errors regarding the term “corrected input data” (from “corrected data”).

### **Section 103 Rejections**

The Office Action rejected claims 1-2, 5-12, 15-22, 25-32, and 35-40 under 35 U.S.C. 103(a) as being unpatentable over Barnhill et al. (U.S. Patent No. 6,714,925 B1, “Barnhill”) in view of Lundahl et al. (U.S. Pub. No 2002/0107858 A1, “Lundahl”).

Applicant submits that the above amendments incorporating the allowed subject matter render the 103 rejections moot. Removal of the 103 rejection of these claims is respectfully requested.

## CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5650-02100/JCH.

Also enclosed herewith are the following items:

- Return Receipt Postcard
- Request for Approval of Drawing Changes
- Notice of Change of Address
- Check in the amount of \$ \_\_\_\_\_ for fees ( \_\_\_\_\_ ).
- Other:

Respectfully submitted,

  
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